



1. Plaintiffs have already incurred significant costs (over \$100,000 of which are non-refundable) in preparation for the October 22, 2024 trial date, and have secured the availability of multiple witnesses traveling from throughout the United States.

2. Extreme and Plaintiffs have previously mediated on two separate occasions before two separate nationally-recognized mediators, one of whom is a former federal judge (one full day with Richard Chernick and five full days before the Hon. Jay C. Gandhi), for a total of six days of mediation, at considerable expense.

3. The parties have approximately nine (9) weeks before pretrial disclosures are due pursuant to the Third Amended Scheduling Order (Dkt. 242). Plaintiffs believe that the parties can mediate in good faith while keeping to the current deadlines and trial date as provided in the Third Amended Scheduling Order. Plaintiffs further submit that keeping those deadlines, including the trial date, in place will likely assist the parties in reaching a settlement.

For these reasons, Plaintiffs respectfully request that the Court reconsider that portion of the Mediation Order which cancels the October 22, 2024 trial date for this case and all unexpired pretrial deadlines, allowing the parties to keep the currently scheduled trial in place while mediating this matter.

Respectfully submitted this 2nd day of July, 2024,

By: /s/ Cheryl G. Rice

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